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Attorneys for Defendant  
THERMA-WAVE LTD EMPLOYEE BENEFITS PLAN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHARON GIOTTONINI,

Plaintiff,

v.

THERMA-WAVE., LTD EMPLOYEE  
BENEFITS PLAN,

Defendant.

HARTFORD LIFE GROUP INSURANCE  
COMPANY,

Real Party in Interest.

CASE NO. C 06-07591 SI

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE HEARING  
DATE FOR THE PARTIES' CROSS-  
MOTIONS FOR SUMMARY JUDGMENT  
TO NOVEMBER 16, 2007**

Plaintiff Sharon Giottonini and defendant Therma-Wave LTD Employee Benefits Plan,  
by and through their respective attorneys of record, hereby stipulate and respectfully request that  
the hearing on the parties' cross-motions for summary judgment be continued seven days from  
November 9, 2007 to November 16, 2007 at 9:00 a.m. before the Honorable Susan Illston. The

1 briefing schedule on the merits will not change.

2 Good cause exists for the parties' request to reschedule the hearing on cross-motions for  
 3 summary judgment. Pursuant to the Court's March 16, 2007 Order, the parties filed their cross-  
 4 motions for summary judgment and will file their oppositions on October 19, 2007, and replies  
 5 on October 26, 2007. The hearing on the cross-motions is currently scheduled for November 9,  
 6 2007, at 9:00 a.m. Counsel for defendant has a scheduling conflict, and therefore is not available  
 7 on the hearing date previously set by the Court. There are no additional dates set by the Court  
 8 following the hearing on the parties' cross-motions for summary judgment. The parties request  
 9 that the briefing schedule remain the same, with oppositions due October 19, 2007, and replies  
 10 due October 26, 2007.

11 IT IS SO AGREED AND STIPULATED.

12 DATED: October \_\_, 2007 LAW OFFICES OF LAURENCE F. PADWAY

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 14  
 15 By: /s/Laurence F. Padway  
 16 Laurence F. Padway  
 Attorneys for Plaintiff  
 SHARON GIOTTONINI

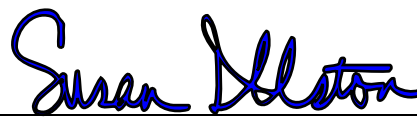
17 DATED: October \_\_, 2007 SEDGWICK, DETERT, MORAN & ARNOLD LLP

18  
 19  
 20 By: /s/ Dennis G. Rolstad  
 21 Dennis G. Rolstad  
 Erin A. Cornell  
 Attorneys for Defendant  
 22 THERMA-WAVE LTD EMPLOYEE BENEFITS PLAN

23 **ORDER**

24 Pursuant to the stipulation set forth above, and good cause appearing, IT IS HEREBY  
 25 ORDERED that the hearing on the parties' cross-motions for summary judgment is continued to  
 26 November 16, 2007 at 9:00 a.m.

27  
 28 DATED: \_\_\_\_\_

  
 \_\_\_\_\_  
 HONORABLE SUSAN ILLSTON